

## AGENDA

**BOARD OF COMMISSIONERS  
315 WEST SECOND STREET  
FRANKFORT, KY 40601  
502/875-8500**

**June 26, 2006  
5:30 P.M. (EDT)**

1. **INVOCATION**

Rev. Jerry Parritt, Assembly of God Church

**PLEDGE OF ALLEGIANCE**

John Hammond

**ROLL CALL**

**MINUTES**

May 22, 2006 Regular Meeting; June 12, 2006 Work Session; June 14, 2006 Special Meeting.

**MAYOR'S REPORT**

2. **CEREMONIAL ITEMS**

2.1 Employee Recognition

Background: The Board of Commissioners traditionally recognizes City employees who are retiring or are being promoted within the various City departments. At this meeting, the following individuals will be in attendance:

Fire Department: Mike R. Ferguson for promotion to rank of Sergeant;  
Mark Johnston for retirement after 21 years, effective 5-31-06.

Police Department: Thomas J. Faulkner for retirement after 27 years, effective 5-31-06.  
Don Smith for retirement after 19 years, effective 5-31-06.

2.2 National Weather Service presentation

Background: Frankfort has been named a "Storm Ready" Community by the National Weather Service. Norm Reitmeyer and John Gordon from the National Weather Service will make a presentation on this designation.

2.3 Holmes Street Neighbors Presentation

Background: The Frankfort Area Chamber of Commerce named Holmes Street as the Most Improved Street in Frankfort for 2006. Eric Burke will represent the Holmes Street Neighbors Association.

3. **ORDINANCES**

3.1 **SECOND READING:** An Ordinance amending the City of Frankfort Code of Ordinances, Chapter 37, Personnel; City Employees, Section 37.34, Biweekly Rates.

Purpose: To amend sections of Frankfort Code of Ordinances to adjust positions and classifications.

Background: The Mercer Personnel Study evaluated positions and classifications, as well as other aspects of the City's personnel system. This ordinance change is to continue to streamline our system. Some positions and classifications are renamed and applicable classifications adjusted.

This Ordinance had its first reading May 22, 2006

Financial Analysis: Cost to make affected adjustments will be approximately \$4,800.00. Funds should be available in the 2006-2007 Budget.

Recommendation: Approval

Attachments:

- Ordinance

Contact:

Name: John Morrow  
Title: Director  
Department: Personnel  
Phone: 502/875-8500  
E-Mail: [jmorrow@fewpb.com](mailto:jmorrow@fewpb.com)

- 3.2 **SECOND READING:** An ordinance amending Ordinance No. 8, 1983 series by amending the City of Frankfort Zoning Ordinance - Article 11 in its entirety to create "Compatibility and Design Standards"; and amending Article 5, Section 5.04; Article 6 Section 6.034, 6.06, Article 8 Section 8.306, 8.402; and Article 10, Section 10.271 of said zoning ordinance referenced within chapter 152 of the Frankfort Code of Ordinances.

Purpose: To amend the City's Zoning ordinance as recommended by the Frankfort/Franklin County Planning Commission and the Zoning Update Committee by amending the City of Frankfort Zoning Ordinance - Article 11 in its entirety to create "Compatibility and Design Standards"; amending Article 5, Section 5.04; Article 6 Section 6.034, 6.06, Article 8 Section 8.306, 8.402; and Article 10, Section 10.271.

Background: On July 12, 2005, the City Manager requested that an ordinance for "design standards" be created as soon as possible based on a Commission request. On July 25, 2005, staff forwarded a draft zoning ordinance for "Compatibility, Design, and Performance Standards" to the City Manager. On September 26, 2005, the City Commissioners voted unanimously to direct the Frankfort/Franklin County Planning Commission to review the draft ordinance, make comments or recommendation, within 60 days. On October 6, 2005, the Zoning update committee discussed the draft design ordinance and the Planning Commission chairman created a new subcommittee called "Commercial Design Committee" consisting of a representative from the Chamber of Commerce, Tourist Commission, Board of Realtors, Architectural Review Board, local developer, and all of the Zoning Update Committee members. During the October City Commission meeting, the Board unanimously rescinded the directive issued on September 26, 2005, in order to provide more time to the Commercial Design Committee.

The commercial design committee met five times between November 11 and January 6, 2006. Attached is the committees recommended version for public hearing.

On January 26, 2006, the Frankfort/Franklin County Planning Commission tabled the public hearing to the February meeting. On February 23, 2006, a public hearing was held by the Planning Commission, which after the testimony given by staff and citizens, closed the public hearing and tabled the item in order for a summary to be provided.

On April 13, 2006, the Frankfort/Franklin County Planning Commission removed the item from the table, adopted the summary of findings and unanimously approved to recommend the Franklin County Fiscal Court and City of Frankfort's Board of Commissioners to approve the proposed text amendment.

Attached is the report submitted to the Planning Commission with the proposed text with strikeout text for removal and underline text for new text that is proposed within the Zoning Ordinance.

This Ordinance had its first reading May 22, 2006.

Recommendation: Approval

Attachments:

- Proposed Ordinance
- Planning Commission report dated January 18, 2006.
- The minutes from the Public Hearing by the Frankfort/Franklin County Planning Commission.

Contact Person

Name: Gary Muller  
Title: Planning and Building Codes Director  
Department: Planning  
Phone: 502/875-8513  
Email: [gmuller@fewpb.com](mailto:gmuller@fewpb.com)

3.3 **SECOND READING:** an ordinance appropriating of the revenue to be received by the City of Frankfort for Fiscal Year 2006-2007.

Purpose: The purpose of this ordinance is to appropriate revenue to be received and expended by the City of Frankfort for Fiscal Year 2006-2007 in accordance with the budget submitted and approved by it's adoption.

This Ordinance had its first reading May 22, 2006.

Recommendation: Approval

Attachments:

- Ordinance

Contact:

Name:	Tony Massey	Steve Dawson
Title:	City Manager	Director
Department:	City Manager	Finance
Phone:	502/875-8500	502/875-8505
E-Mail:	<a href="mailto:Amassey@fewpb.com">Amassey@fewpb.com</a>	<a href="mailto:sdawson@fewbp.com">sdawson@fewbp.com</a>

3.4 **SECOND READING:** An Ordinance amending Ordinance No. 11, 2005 Series, and Frankfort Code of Ordinances Sections 37.32 Pay Plan (Salary Ordinance).

Purpose: The purpose of this Ordinance is to amend existing ordinances relating to salary and wages for officers and employees of the City of Frankfort by enacting a three percent (3%) salary increment for full-time regular personnel for Fiscal Year 2006-2007.

This Ordinance had its first reading May 22, 2006.

Recommendation: Approval

Attachments:

- Ordinance

Contact:

Name: Tony Massey  
Title: City Manager  
Department: City Manager

Phone: 502/875-8500  
E-Mail: [Amassey@fewpb.com](mailto:Amassey@fewpb.com)

- 3.5 **FIRST READING:** An Ordinance amending Ordinance No. 26, 2005 Series and Frankfort Code of Ordinances Section 111.38 to establish the annual fee to be paid by businesses properly engaged in the Sunday sale of distilled spirits, beer or malt beverages and wine by the drink by certain hotels, motels and restaurants.

Purpose: To establish the annual fee to be paid by businesses properly engaged in the Sunday sale of distilled spirits, beer or malt beverages and wine by the drink by certain hotels, motels and restaurants.

Background: The Commission passed Ordinance No. 25, 2005 Series to allow Sunday liquor sales at hotels, motels, and restaurants. The proposed \$ 300.00 license fee is consistent with Sunday License fees charged by other Second Class cities.

Financial Analysis: These fees are expected to generate approximately \$3,600 annually.

Attachments:

- Ordinance
- License Fees Comparison Table

Contact Person:

Name: Steve Dawson  
Title: Director  
Department: Finance  
Phone: 502/875-8500  
E-mail: [Sdawson@fewpb.com](mailto:Sdawson@fewpb.com)

- 3.6 **FIRST READING:** An Ordinance amending Ordinance No. 8, 1983 Series by amending the City of Frankfort Zoning Ordinance - Article 1, Section 1.09 Provisions for Waivers and Modifications as well as Article 4, Sections 4.226; 4.236; and 4.306 of the City of Frankfort's Zoning Ordinance. Specifically, the request is to amend the modification provisions of the specific criteria, stipulating the applicant's responsibilities concerning modifications, and changing the requirements of frontage roads within the CG, CH, and IC Districts.

Purpose: To amend the City's Zoning ordinance as recommended by the Frankfort/Franklin County Planning Commission and the Zoning Update Committee by amending the City of Frankfort Zoning ordinance - Article 1, Section 1.09 Provisions for Waivers and Modifications as well as Article 4, Sections 4.226; 4.236; and 4.306 of the City of Frankfort's Zoning Ordinance. Specifically, the request is to amend the modification provisions of the specific criteria, stipulating the applicant's responsibilities concerning modifications, and changing the requirements of frontage roads within the CG, CH, and IC Districts.

Background: On October 14, 2003, the Zoning Update Committee met to discuss four issues, one being waivers. Two draft ordinances were provided and discussed. It was determined that the entire waiver section from the Zoning Ordinance (Section 1.09) should be removed rather than amended. After a public hearing was held by the Frankfort/Franklin County Planning Commission on December 11, 2003, the Planning Commission approved to recommend that Section 1.09 – Provision for Waivers and Modifications be repealed in their entirety for the City of Frankfort and Franklin County. The report and testimony given at that meeting was also approved as the summary of the public hearing. The motion to repeal the waiver section was by a unanimous vote. However, on January 19, 2004 the City Commission did not support the recommendation.

On October 6, 2005, the zoning update committee revised the proposed amended regulation and requested it to be sent to the Planning Commission

On March 9, 2006, the Planning Commission sent this ordinance amendment back to the zoning update committee for further discussion.

On March 29, 2006, the Zoning Update Committee discussed the item and again revised the proposed amendments.

On June 8, 2006, the Frankfort/Franklin County Planning Commission held a public hearing, closed the public hearing, approved the report as the findings rather than requesting a summary, and unanimously approved to recommend the City of Frankfort's Board of Commissioners to approve the proposed text amendment.

Attachments:

- Proposed Ordinance amendment
- The report submitted to the Planning Commission
- Minutes of the June 8, 2006 Planning Commission meeting (to be provided when complete)

Recommendation: Approval

Contact Person

Name: Gary Muller  
Title: Director  
Department: Planning and Building Codes  
Phone: 502/875-8513  
Email: [gmuller@fewpb.com](mailto:gmuller@fewpb.com)

- 3.7 **FIRST READING:** An Ordinance amending Ordinance No. 8, 1983 Series by amending the City of Frankfort Zoning Ordinance - Article 13, Table 13.3 Standards for Permitted Signs of the City of Frankfort's Zoning Ordinance.

Purpose: To amend the City's Zoning Ordinance as recommended by the Frankfort/Franklin County Planning Commission and the Zoning Update Committee by amending the City of Frankfort Zoning Ordinance - Article 13, Table 13.3 Standards for Permitted Signs of the City of Frankfort's Zoning Ordinance. Specifically, the request is to amend maximum area of signage permitted for home occupations (from 4 sq.ft. to 2 sq.ft.) to make this table consistent with the existing language of Article 19.

Background: Article 13 of the Zoning Ordinance provides for sign standards for specific uses. Article 19 provides for requirements relating to Conditional Use Permits, including Home Occupations. Staff has found a conflict and proposes to amend the text to remove the conflicting sections.

The Zoning Update Committee reviewed this item on March 29<sup>th</sup> and determined that the current requirement of 2 sq. ft. within Article 19 is more appropriate and that it should not be changed. Therefore, Article 13 must be changed to make the two provisions consistent.

On June 8, 2006, the Frankfort/Franklin County Planning Commission held a public hearing, closed the public hearing, approved the report as the findings rather than requesting a summary, and unanimously approved to recommend the City of Frankfort's Board of Commissioners to approve the proposed text amendment.

Recommendation: Approval

Attachments:

- Proposed Ordinance amendment
- The report submitted to the Planning Commission
- Minutes of the June 8, 2006 Planning Commission meeting (to be provided when complete)

Contact Person

Name: Gary Muller  
Title: Planning and Building Codes Director  
Department: Planning  
Phone: 875-8513  
Email: [gmuller@fewpb.com](mailto:gmuller@fewpb.com)

3.8 **FIRST READING:** An Ordinance amending Ordinance No. 8, 1983 Series by amending the City of Frankfort Zoning Ordinance - Article 17, Section 17.10 Design Guidelines for Exterior Remodeling, Subsection 17.10.9.A. - Walls and Fences.

Purpose: To amend the City's Zoning ordinance as recommended by the Frankfort/Franklin County Planning Commission and the Zoning Update Committee by amending the City of Frankfort Zoning Ordinance - Article 17, Section 17.10 Design Guidelines for Exterior Remodeling, Subsection 17.10.9.A. - Walls and Fences. Specifically, the request is to provide an exception to the fence material (allowing vinyl) within the Special Capitol District when specific conditions apply.

Background: On July 11, 2005, the Mayor sent a memorandum to the City Manager requesting an amendment to Article 17 of the Zoning Ordinance. The basis of the amendment is to allow vinyl as an acceptable material for fence construction in the Special Capitol District. As instructed by the City Manager, staff has prepared language amending the ordinance.

On August 16, 2005, this proposed amendment was forwarded to the Architectural Review Board for comments. They unanimously opposed the requested amendment and did not support any vinyl fence material to be allowed by right.

On October 6, 2005, the Zoning update committee tabled this item to the next zoning update meeting for further discussion and to allow staff to address the following items:

- Should wood grain features be included in material type; provide minimum standards and quality of material if this is to go forward; availability of vinyl fence material locally; seek Ky Heritage Council comments concerning this and small building sheds; and obtain minutes from the ARB meeting.

On March 29, 2006 the Zoning Update Committee reconsidered the request and did not support the proposed text amendment. The failure of support of the Committee was discussed with the Mayor, and he requested that the text amendment be continued through the process.

On June 8, 2006, the Frankfort/Franklin County Planning Commission held a public hearing, closed the public hearing, approved the report as the findings rather than requesting a summary, and motioned to recommend the City of Frankfort's Board of Commissioners to **deny** the proposed text amendment. The motion passed by a vote of 5-1 (the Chair does not vote, except to break a tie)

Recommendation: The Frankfort/Franklin County Planning Commission and the Architectural Review Board has recommended **denial** of the proposed text amendment.

Attachments:

- Proposed Ordinance amendment
- The report submitted to the Planning Commission
- Minutes of the June 8, 2006 Planning Commission meeting (to be provided when complete)

Contact Person

Name: Gary Muller  
Title: Director  
Department: Planning and Building Codes

Phone: 502/875-8513  
Email: [gmuller@fewpb.com](mailto:gmuller@fewpb.com)

- 3.9 **FIRST READING:** An Ordinance related to the protection of the public health and welfare by regulating the smoking of tobacco products in buildings open to the public.

Purpose: To consider an Ordinance regulating the smoking of tobacco products in buildings open to the public.

Background: The Franklin County Health Department presented the results of a Frankfort Adult Community Survey conducted by the University of Kentucky Survey Research Center at the June 12 Work Session. At that Work Session, the Board directed City Solicitor Rob Moore to prepare an Ordinance for first reading at the June 26 Regular Meeting based on the Ordinance adopted by the Lexington-Fayette Urban County Government.

Attachment:

- Ordinance

Contact Person:

Name: Rob Moore  
Title: City Solicitor  
Department:  
Phone: 502/227-2271  
E-Mail: [rmoores@hazelco.com](mailto:rmoores@hazelco.com)

4. **ORDERS**

- 4.1 An Order renaming the 200 block of Fowler Street to Hermitage Drive and renaming the 400 block of Fowler Street and Admirals Landing to only Admirals Landing.

Purpose: to rename the 200 block of Fowler Street to Hermitage and rename the 400 block of Fowler Street and Admirals Landing to only Admirals Landing in order to provide the best health, safety, and welfare of the owners of property on such streets.

Background: It was brought to the attention of the Planning and Building Codes Department from the Fire Department that a street name and address conflict existed on the 400 block of Fowler Street.

After researching the files, conducting site visits, and discussing the options with the Public Works Director and E-911 Director, it was determined that a conflict did in fact exist.

The selection option was to rename the 200 block of Fowler Street to Hermitage Drive (no residence is currently addressed off of this 200 block of Fowler Street) and to rename the 400 block of Fowler Street to Admirals Landing (currently the right side of this street is Fowler while the left side is posted as Admirals Landing). Note: There is no 100 or 300 block of Fowler Street existing within the City.

Financial Analysis: Only the removal and installation of new street name signs.

Recommendation: Approval.

Attachments:

- Order

Contact Person

Name:	Gary Muller	Jeff Hackbart
Title:	Director	Director
Department:	Planning and Building Codes	Public Works
Phone:	502/875-8500	502/875-8500

E-mail: gmuller@fewpb.com jhackbrt@fewpb.com

## 5. RESOLUTIONS

### 6. CONSENT CALENDAR

*Items on the Consent Calendar are considered to be routine by the Board of Commissioners and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Board member so requests, in which event the item will be removed from the Consent Calendar and considered separately. The City Manager will read the items recommended for approval.*

- 6.1 To consider authorizing the purchase of an Emergency Dispatch Center/Mobile Command Post under a cooperative agreement with the Franklin County Sheriff Department (FCSD) (Communications).

Purpose: To authorize purchase of an Emergency Dispatch Center/Mobile Command Post under a cooperative agreement with the Franklin County Sheriff Department

Background: The E911 Communications Center wishes to purchase a custom built enclosed trailer for use as an emergency back-up PSAP (Public Safety Answering Point). This would enable the Dispatch Center to continue emergency operations from a remote location should the primary PSAP become uninhabitable. We were approached by the FCSD about the possibility of establishing a joint Dispatch Center/Mobile Command Post that would meet our needs as well as providing them with a unit that would assist them with law enforcement in Franklin County. This unit would also be available for use by the Frankfort Police Department. A Memorandum of Agreement, acceptable to both the City of Frankfort and Franklin County, would be executed prior to the expenditure of any funds.

Financial Analysis: This unit would be purchased by the FCSD through Franklin County Fiscal Court purchasing procedures. Copies of the specifications and bids will be provided to the City of Frankfort. The City of Frankfort would then agree to provide \$20,000 toward this purchase, which is estimated to be approximately \$60,000.

Recommendation: Approval

Attachments: None

#### Contact Person

Name: Daryl S. Hensley  
Title: Director  
Department: Communications  
Phone: 875-8582  
E-mail: [dhensley@fewpb.com](mailto:dhensley@fewpb.com)

- 6.2 To consider authorizing purchase of In-Car Video Equipment from International Police Technologies, Inc. (Police Department).

Purpose: The purpose of this item is to receive authorization to purchase ten (10) in-car video camera systems from International Police Technologies, Inc. at the contract price of \$2,200 per camera for a total purchase of \$22,000. This price is under state contract number M-01157789.

Background: The purchase of in-car video systems is necessary to maintain the objectives of officer safety and aid in the prosecution of traffic and criminal cases.

This equipment represents replacement items. The Police Department maintains in-car video equipment in all pursuit vehicles assigned through the levels of Patrol Officer and Sergeant.

Financial Analysis: \$35,000 is budgeted in equipment account 100.43.56550



Recommendation: Approval

Attachments:

- Master Agreement

Contact Person

Name: Walter M. Wilhoite  
Title: Chief of Police  
Department: Police  
Phone: (502) 875-8523  
E-Mail: [mwilhoite@fewpb.com](mailto:mwilhoite@fewpb.com)

- 6.3 Purpose: To consider an Agreement with Blue Grass Community Action Partnership, Inc. (BGCA) for public transportation services and authorizing the Mayor to sign the Agreement (Public Works).

Background: The Commonwealth has been divided into eight regions for the purpose of providing public transportation for recipients of Medicaid, Transitional Assistance, Department for the Blind, and Department for Vocational Rehabilitation.

The transportation services are arranged for and managed by a Broker in each region. The Broker, in turn, subcontracts the transportation with available public transportation providers. BGCA is the Broker in Frankfort's region. In order to continue to receive Transit Grants, the City must participate in the State program to provide public transit to these groups.

Recommendation: Approval

Attachment:

- Agreement

Contact Person

Name: Jeff Hackbart  
Title: Director  
Department: Public Works  
Phone: (502) 875-8565  
E-mail: [jhackbrt@fewpb.com](mailto:jhackbrt@fewpb.com)

- 6.4 To consider authorizing the approval of the third-year audit proposal by Larry T. Williams, CPA, for Fiscal Year 2005-2006 (Finance Department).

Purpose: To consider approving the third-year audit proposal by Larry T. Williams, CPA, for Fiscal Year 2005-2006.

Background: In 2004, the City advertised and received two proposals for audit performance for the ensuing three (3) year period. Larry T. Williams submitted the lowest proposal for the three (3) year period.

This represents the annual approval of Mr. Williams preparing the audit for the Fiscal Year 2005-2006 for the City of Frankfort.

Financial Analysis: This year's audit fee will be \$26,000. Funds are available in the General Fund Budget Account No. 100.10.53220 and Sewer Operations and Management Account No. 200.68.53220.

Recommendation: Approval

Attachments:

- None

Contact Person

Name:	Steve Dawson	Tony Massey
Title:	Director	City Manager
Department:	Finance	City Manager
Phone:	502/875-8500	502/875-8500
E-Mail:	<a href="mailto:Sdawson@fewpb.com">Sdawson@fewpb.com</a>	<a href="mailto:Amassey@fewpb.com">Amassey@fewpb.com</a>

- 6.5 To consider approval for the balance of the architect design fee with Architects Design Group (Finance Department).

Purpose: To secure approval for the balance of the architect design fee with Architects Design Group.

Background: The City has encumbered \$568,234 for architect fees for the Public Safety Building. The additional costs to cover the architect design fees for the Public Safety Building is approximately \$471,971.

Financial Analysis: The following listing is a breakdown of architect fees:

Needs Assessment Fee	\$ 89,816
Design Fee	<u>478,418</u>
Total Encumbrance	568,234
Amendment	<u>471,971</u>
Total Design Fee	1,040,205

Recommendation: Approval

Attachments: None

Contact Person

Name:	Steve Dawson
Title:	Director
Department:	Finance
Phone:	502/875-8500
E-Mail:	<a href="mailto:Sdawson@fewpb.com">Sdawson@fewpb.com</a>

- 6.6 To consider authorizing a contract with Community Merchant Service to provide debit and credit card services for Juniper Hills Golf Course (Finance Department).

Purpose: To enter into a contract with Community Merchant Service to use debit and credit card services for purchases and payment of fees at Juniper Hills Golf Course.

Background: This contract will enable Juniper Hills Golf Course to accept credit and debit cards for green fees, cart rentals and merchandise. The terms are for three (3) years. There has been a high demand from golf customers to provide this service. If successful, this could be a first step toward expanding the use of credit/debit cards for payments of fees and taxes to other City departments.

Financial Analysis: Fees based upon a percentage of expenditures plus a service fee. It is expected that the approximate cost of \$5,000/year will be absorbed by increased golf course revenues.

Attachment:

- Agreement

Contact Person

Name:	Steve Dawson
Title:	Director

Department: Finance  
Phone: 502/875-8500  
E-Mail: [Sdawson@fewpb.com](mailto:Sdawson@fewpb.com)

- 6.7 To consider approval of Change Order # 2 with SJ Cox Enterprises, Inc., for the Benson Creek Force Main Replacement Project. (Sewer Department).

Purpose: The purpose of this item is to consider approval of Change Order # 2 with SJ Cox Enterprises, Inc., for the Benson Creek Force Main Replacement Project.

Background: In June 2005 a contract was awarded to SJ Cox Enterprises for directional drilling and installation of a High Density Polyethylene Pipe under Benson Creek. Due to site conditions encountered during construction, several field modifications had to be made. This change order, in the amount of \$6,426, is for work associated with these field changes. As of May 1, 2006, this project is 113 days behind schedule, and the contractor has been informed that liquidated damages are being assessed.

The total contract amount is summarized below:

Original Contract	\$195,860
Change Order # 1	14,833
Change Order # 2	<u>6,426</u>
Current Contract	\$217,119

Financial Analysis: Funds are available in account 300.68.56550.

Recommendation: Approval

Attachments:

- Change Order # 2

Contact Person

Name: William R. Scalf, Jr., PE  
Title: Director  
Department: Sewer  
Phone: 875-2448  
Email: [wscalf@fewpb.com](mailto:wscalf@fewpb.com)

- 6.8 To consider entering into a lease agreement with Ratliff Rentals (Fire Department).

Purpose: To authorize entering into a lease agreement with Ratliff Rentals.

Background: In April 2004 the Commission approved entering into a 36-month lease agreement to rent a warehouse storage building from Ratliff Rentals. The building is used to store eight Fire and EMS vehicles and a significant amount of Haz-Mat equipment. Mr. Ratliff has now offered a larger and much more suitable building to the city. The current lease building has only one overhead door and is not heated. This results in having to drain all water from the truck tanks and pumps to prevent freezing in the winter and also requires difficult placement and removal of the vehicles with only one doorway. The building now under consideration is fully heated and has five large overhead doors. This building normally rents for \$3,500.00 per month but is offered to the city for \$1,400.00 per month. The rental on the current leased building is \$800.00 per month.

This building would adequately house the stored vehicles and keep the trucks and equipment climate controlled. This building also has both water and an air compressor for keeping the units ready to respond. The new lease will replace the previous one and may be terminated with a 30-day notice.

Financial Analysis: Funds are available in Fiscal Year 2006-2007 in account 100.42.53270.

Recommendation: Approval

Attachments:

- Letter of current lease termination.
- Lease for replacement property.

Contact Person

Name: Wallace Possich  
Title: Fire Chief  
Dept.: Fire  
Phone: 502-875-8511  
E-Mail: [wpossich@fewpb.com](mailto:wpossich@fewpb.com)

6.9 To consider authorization to encumber Fiscal Year 2006 funds (Fire Department).

Purpose: To authorize encumbrance of Fiscal Year 2006 funds for a purchase to be made in Fiscal Year 2007.

Background: \$200,000 was budgeted in Fiscal-Year 2006 as partial funding for the replacement of a 1990 Aerial truck. An additional \$200,000 is included in the Fiscal-Year 2007 budget. This \$400,000, along with the proceeds from the sale of the 1990 truck will be used to purchase a new aerial truck in Fiscal-Year 2007. The replacement truck has not yet been bid or contracted, therefore it is necessary to encumber the \$200,000 in the current budget for the purchase to be made in Fiscal-Year 2007.

Financial Analysis: Budgeted in Fiscal-Year 2006 in account 100.42.56550.

Recommendation: Approval

Attachments: None

Contact Person

Name: Wallace Possich  
Title: Fire Chief  
Dept.: Fire  
Phone: 502-875-8511  
E-Mail: [wpossich@fewpb.com](mailto:wpossich@fewpb.com)

6.10 To consider encumbering budgeted funds from current budget for Professional Services to be secured by the Planning Commission relating to the Comprehensive Plan Update (Planning and Building Codes).

Purpose: The purpose of this item is to execute the attached Purchase Order to the Frankfort/Franklin County Planning Commission to encumber the budgeted amount of \$40,000 from the Planning Department's budget in order to secure professional services relating the Comprehensive Plan Update.

Background: The City Commission approved \$40,000 within the Planning and Building Codes Department's budget (FY 05/06) specifically for professional services relating to the required Comprehensive Plan Update. This amount is half of the anticipated costs to the Planning Commission should a consultant be required.

The Frankfort/Franklin County Planning Commission established a Comprehensive Plan Committee, which have been holding public meetings, most recently on May 3, 2006. In reviewing and considering

changes to the Comprehensive Plan, the need of professional services is likely. The County budgeted \$20,000 during FY05/06 and has approved an additional \$20,000 for the FY06/07 budget.

The Planning Department has not allocated any additional professional service funds relating to the Comprehensive Plan Update for the FY06/07 budget. Therefore it is imperative that the currently budgeted \$40,000 be encumbered to the Planning Commission. Should the Planning Commission not choose to utilize professional services for the Comprehensive Plan Update, the encumbered \$40,000 would be returned to the City's General Fund.

Financial Analysis: there is approximately \$63,500 remaining in the Planning Department's FY 05/06 budget (account number 100.70.53265). The requested and previously budgeted \$40,000 would be encumbered, leaving approximately \$23,000 in this account to be returned to the general fund at fiscal year's end.

Recommendation: Approval

Attachments:

- Purchase Order
- FY 05/06 P/Z Professional Fees budget

Contact Person:

Name: Gary Muller  
Title: Director of Planning and Building Codes  
Department: Planning and Building Codes  
Phone: 502/352-2100  
E-mail: Gmuller@fewpb.com

- 6.11 To consider authorizing Addendum No. 1 to Plangraphics, Inc. to assist Sewer Department staff in preparing a Request for Proposals for a Work Order Tracking Program and perform a sewer customer audit utilizing GIS and customer database (Sewer Department).

Purpose: To authorize Addendum No. 1 to Plangraphics, Inc. to assist Sewer Department staff in preparing a Request for Proposals for a Work Order Tracking Program and perform a sewer customer audit utilizing GIS and customer database

Background: Background: The Work Order Program currently being used by the Sewer Department is antiquated does not meet our current needs. Additionally, we are beginning to have problems with the program and are beginning to lose data. The Sewer Department intends to utilize Plangraphics to assist with preparation of the RFP and with evaluation of the bids. Part of Plangraphics task will be to ensure that the RFP is broad enough to encompass all Departments of the City of Frankfort in the future.

Plangraphics will also perform a sewer customer audit for the Department utilizing GIS and the sewer customer database, to be provided by the Plant Board. Plangraphics will merge the two files and prepare an exhibit that will allow the Sewer Department identify sewer customers that are currently not paying sewer bills.

Plangraphics contract will be for an amount not to exceed \$22,000.

Financial Analysis: This project will be funded in the 2006-2007 Fiscal Year Budget from Account No. 200.68.53265.

Recommendation: Approval

Attachments:

- Addendum No. 1 (Being reviewed by City Attorney)

Contact Person

Name: William R. Scalf, Jr., PE  
Title: Director  
Department: Sewer  
Phone: 875-2448  
Email: [wscalf@fewpb.com](mailto:wscalf@fewpb.com)

- 6.12 To consider authorizing Sewer Department to issue a Request for Qualifications for engineering services to assist Sewer Department staff with undertaking a Capacity Management Operation and Maintenance (CMOM) Self Audit (Sewer Department).

Purpose: To authorize the Sewer Department to issue a Request for Qualifications for engineering services to assist Sewer Department staff with undertaking a Capacity Management Operation and Maintenance (CMOM) Self Audit. Contract to be awarded in 2006-2007 Fiscal Year.

Background: One of the requirements that the Sewer Department needs to perform as part of our on-going effort to become more proactive in our sewer maintenance program is to undertake a CMOM self audit. The purpose of the self-audit is to identify the strengths and weaknesses of the organization and identify appropriate steps to address the weaknesses in a timely manner. This self-audit will be required by the Kentucky Division of Water and the U.S. Environmental Protection Agency. Sewer Department staff will perform most of the evaluation associated with the self-audit. This RFQ is for administrative and other support for the audit.

Financial Analysis: This project will be funded in the 2006-2007 Fiscal Year Budget from Account No. 200.68.53265.

Recommendation: Approval

Attachments: None

Contact Person

Name: William R. Scalf, Jr., PE  
Title: Director  
Department: Sewer  
Phone: 875-2448  
Email: [wscalf@fewpb.com](mailto:wscalf@fewpb.com)

- 6.13 To consider authorizing Sewer Department to issue a Request for Qualifications for engineering services to assist Sewer Department staff with preparation of a Sanitary Sewer Overflow Response Plan (SORP) (Sewer Department).

Purpose: To authorize the Sewer Department to issue a Request for Qualifications for engineering services to assist Sewer Department staff with preparation of a Sanitary Sewer Overflow Response Plan (SORP). Contract to be awarded in 2006-2007 Fiscal Year.

Background: As part of our upcoming consent decree negotiations, the Sewer Department will need to prepare a SORP. The primary objective of the SORP is to protect public health and the environment, satisfy regulatory agencies and waste discharge permit conditions which address procedures for managing sewer overflows.

Additional objectives of the SORP are to protect collection system personnel and wastewater treatment plant; protect the collection system, wastewater treatment facilities, and all appurtenances; and protect private and public property beyond the collection and treatment facilities.

Financial Analysis: This project will be funded in the 2006-2007 Fiscal Year Budget from Account No. 200.68.53265.

Recommendation: Approval

Attachments: None

Contact Person

Name: William R. Scalf, Jr., PE  
Title: Director  
Department: Sewer  
Phone: 875-2448  
Email: [wscalf@fewpb.com](mailto:wscalf@fewpb.com)

- 6.14 To consider a Sanitary Sewer Extension Contract with Jerry Woodall, Member, M&W, LLC, a Kentucky limited liability company, Frankfort, Kentucky (Sewer Department).

Purpose: To approve a sewer extension contract with owner of Parkside Development at the Northwest Quadrant of U.S. 60 and I-64 in Frankfort, Franklin County, Kentucky which is properly zoned for the development of 113 residential lots on 30 acres and the development of 1 commercial lot with 60 acres, with improvements including 40 new manholes and 550 feet of 10-inch SDR 35 pipe and 7,448 feet of 8-inch SDR 35 pipe.

Background: Prior to acceptance of discharge from a development into the municipal sanitary sewer and acceptance of the development's collection by the Department, a contract must be entered into between the developer and the City of Frankfort.

Jerry Woodall, Member, has signed the contract. Sanitary sewer plans and specifications have been prepared and submitted to the Department for review and approval. The Division of Water has approved the sanitary sewer plans and specifications. Final acceptance is contingent upon completion of the 30-day waiting period for testing after construction is completed.

Recommendation: Approval

Attachments:

- Sanitary Sewer Extension Contract

Contact Person

Name: William R. Scalf, Jr., P.E.  
Title: Director  
Department: Sewer  
Phone: 875-2448  
Email: [wscalf@fewpb.com](mailto:wscalf@fewpb.com)

- 6.15 To consider a Sanitary Sewer Extension Contract with Robert S. Rarden, Member, Rarden Enterprises, LLC, a Kentucky limited liability company, Frankfort, Kentucky (Sewer Department).

Purpose: To approve a sewer extension contract with owner of the Convenience Market at 2215 U.S. 127 South at Burlington Lane in Frankfort, Franklin County, Kentucky that is properly zoned for commercial development with improvements including 2 new manholes and 317 feet of 8-inch SDR 35 pipe.

Background: Prior to acceptance of discharge from a development into the municipal sanitary sewer and acceptance of the development's collection by the Department, a contract must be entered into between the developer and the City of Frankfort.

Robert S. Rarden, Member, has signed the contract. Sanitary sewer plans and specifications have been prepared and submitted to the Department for review and approval. The Division of Water has approved the sanitary sewer plans and specifications. Final acceptance is contingent upon completion of the 30-day waiting period for testing after construction is completed.

Recommendation: Approval

Attachments:

- Sanitary Sewer Extension Contract

Contact Person

Name: William R. Scalf, Jr., P.E.  
Title: Director  
Department: Sewer  
Phone: 875-2448  
Email: [wscalf@fewpb.com](mailto:wscalf@fewpb.com)

- 6.16 Sanitary Sewer Extension Contract with Edwin Randle, Jr., Member, Mill Creek Park Properties, LLC, a Kentucky limited liability company, Frankfort, Kentucky (Sewer Department).

Purpose: To approve a sewer extension contract with owner of the real property and improvements located in Mill Creek Park in Franklin County, Kentucky including a private sanitary sewer extension owned and maintained by the Developer. The Developer wishes to make improvements to its private sanitary sewer system consisting of 3 new manholes and 515 feet of 8-inch SDR 35 pipe to serve Mill Creek Park.

Background: Prior to acceptance of discharge from a development into the municipal sanitary sewer and acceptance of the development's collection by the Department, a contract must be entered into between the developer and the City of Frankfort.

Edwin Randle, Jr., Member, has signed the contract. Sanitary sewer plans and specifications have been prepared and submitted to the Department for review and approval. The Division of Water has approved the sanitary sewer plans and specifications. Final acceptance is contingent upon completion of the 30-day waiting period for testing after construction is completed.

Recommendation: Approval

Attachments:

- Sanitary Sewer Extension Contract

Contact Person

Name: William R. Scalf, Jr., P.E.  
Title: Director  
Department: Sewer  
Phone: 875-2448  
Email: [wscalf@fewpb.com](mailto:wscalf@fewpb.com)

- 6.17 To consider an amendment to the engineering services agreement with HMB Engineers and authorize the Mayor to sign the amendment (Public Works).

Purpose: To amend engineering services agreement with HMB Engineers for the East Main Outlet Project and authorize the Mayor to sign the amendment.

Background: On 4/24/06, the Board of Commissioners approved Change Order No. 2 with Affholder, Inc. for the Holmes Street Drainage Project. As part of the approved Change Order, Affholder agreed to reimburse the City for all costs associated with the change in tunnel alignment, including engineering



review fees. HMB Engineers proposed a \$5,600 fee for providing engineering review of the tunnel alignment and diameter of the East Main Tunnel Outlet and revisions to the sluice gate structure as proposed by the Contractor. The \$5,600 fee was deducted from the Contractors contract price and will be added to HMB's contract through Amendment No. 8.

Financial Analysis: Funds are available for this professional service agreement with HMB in the 1997 Bond Issue and the Commonwealth of Kentucky's Holmes Street Drainage direct authorization. The \$5,600 fees for these services have been deducted from Affholder's East Main Outlet construction contract.

Recommendation: Approval

Attachments:

- Amendment No. 8

Contact Person

Name: Jeff Hackbart  
Title: Director  
Department: Public Works  
Phone: (502) 875-8563  
E-mail: jhackbrt@fewpb.com

6.18 To consider a bid award to Advanced Drainage System (ADS), Inc. (Public Works Department).

Purpose: The purpose of this item is to consider a bid award for two-year supply contract for polyethylene corrugated drainage pipe to Advanced Drainage System (ADS) Inc. and authorize the Mayor to sign the contract.

Background: On 4/20/06, the City received one bid for a two-year unit price contract for the polyethylene corrugated pipe as shown on the attached Bid Tabulation. The sole bidder was Advanced Drainage Systems, Inc. This is a Unit Price contract that will be used if the City chooses to purchase pipe over the next two years.

Advanced Drainage Systems had the previous contract to furnish polyethylene corrugated drainage pipe and the City has had acceptable service and product quality from the firm.

Financial Analysis: Funds are available in the Street Division's Building Materials Account (100.62.54325) for the purchase of storm pipe as needed. This is a Unit Price contract.

Recommendation: Approval

Attachments:

- Bid Tabulation
- Contract

Contact Person

Name: Jeff Hackbart  
Title: Director  
Department: Public Works  
Phone: 502/875-8500  
E-mail: jhackbrt@fewpb.com

6.19 Personnel

<u>Personnel Action</u>	<u>Employee</u>	<u>Department</u>	<u>Date</u>	<u>Other</u>
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Promotion	Mike R. Ferguson	Fire	6-27-06	To Sergeant from Firefighter III
Retirement	Thomas J. Faulkner	Police	5-31-06	Patrol Officer III; authorize payment of all accrued time.
	Mark Johnston	Fire	5-31-06	Firefighter III; authorize payment of all accrued time.
Resignation	Greg Owens	Planning and Building Codes	6-9-06	Code Enforcement Inspector; authorize payment of all accrued time.
Reinstatement	Eddie Harrod	Street	6-19-06	Tech I

Attachments:

- Retirement letter – Thomas J. Faulkner
- Retirement letter – Mark Johnston
- Resignation letter – Greg Owens

## 7. BOARD APPOINTMENTS

### 8. OLD BUSINESS

- 8.1 To consider approval of the Consultant recommendation for proposed aquatic design and location (Parks and Recreation).

Purpose: To consider approval of the Consultant recommendation for proposed aquatic design and location.

Background: In March 2004, the City Commission ranked a new aquatic facility as the number two priority project. In October 2005, \$150,000 was put into the budget for this proposed project.

Financial Analysis: \$150,000 has not been touched. It has been moved to the 2006/2007 budget effective July 1, 2006.

Recommendation: Three quotes were taken. The Parks and Recreation Advisory Board and staff recommend this phase be awarded to Brandstetter Carroll, of Lexington, Kentucky, at a cost of \$10,000. Although Brandstetter Carroll did not provide the lowest quote, they are recommended based on their experience and reference checks.

CMW, Inc. -	\$0	Expenses only for paper, etc.
Brandstetter Carroll, Inc.	\$10,000	
Bravura	\$86,000	(\$43,850 revised)

Attachments:

- Authorization 10/24/05
- Quotes from three firms

Contact Name:

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Title: Director  
Department: Parks & Recreation  
Phone: 875-8575  
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## 9. NEW BUSINESS

9.1	<u>Personnel Action</u>	<u>Employee</u>	<u>Department</u>	<u>Date</u>	<u>Other</u>
	Appointment	Jason G. Broyles	Sewer	7-5-06	Pump Maintenance Assistant.
		Matthew L. Tate	Sewer	7-5-06	Pump Maintenance Assistant.
		Ricky L. Benton	Sanitation	6-27-06	Tech I.
	Retirement	Otis Loman	Police	6-30-06	Community Service Specialist; authorize payment of all accrued Vacation time as of effective date.

**10. CITIZEN COMMENTS (Non-agenda items)**

**11. COMMISSIONER COMMENTS**

**12. ADJOURNMENT**